

CITY of BURIEN
Department of Community Development

Interpretation # 03-01

Subject: Width of residential driveways in the front setback (BMC 19.20.100 4.A)

Interpretation: BMC 19.20.100 4.A addresses driveways and parking areas for single-family dwelling units in setbacks, however it does not specify the how the width of the driveway is to be measured. It is my interpretation that:

1. Dwelling units may have a driveway that generally parallels the street; and
2. Driveways within the 20-foot front setback and that generally parallel the street right-of-way shall be setback from the street right-of-way a minimum of 5-feet; and
3. Driveways that generally parallel the street right-of-way shall not exceed 10-feet in width within the front setback.

Please see attached illustrations that graphically represent possible driveway configurations pertaining to this interpretation. (NOTE: ILLUSTRATIONS AVAILABLE AT CITY HALL)

Findings of Fact:

- *The defined or common meaning of the words of the provision:*
 - BMC 19.10.135: “single detached dwelling unit” a detached building on a single lot containing one dwelling unit, or factory-assembled structure constructed to State Building Code standards.
 - BMC 19.10.280: Defines “impervious surface” as any non-vertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle including, but not limited to, roof tops, swimming pools, paved roads and walkways or paving areas and excluding landscaping, surface water retention/detention facilities, and vehicular access easements or tracts shared by two or more single detached dwelling units.
 - 19.10.394: Defines “parking space” as an area accessible to vehicles, improved, maintained and used for the sole purpose of parking a motor vehicle.
 - 19.10.485: Defines both “front” and “street” setbacks as follows. The area on a lot that is required to remain free of structures.
 1. Front setback: That portion of a lot adjacent to and parallel with any front property lines and at a distance there from equal to the required minimum interior setback depth.
 2. Interior setback: That portion of a lot adjacent to and parallel with any interior property lines and at a distance there from equal to the required minimum interior setback depth.
 - King County Road Standards section 3.01(DWG 3-006) establishes a minimum width of a single-family residential driveway at 10-feet wide.

- *The general purpose of the provision as expressed in the provision.*

There is no specific purpose and intent statement for this section of the zoning code. However, the general purpose of the parking section of the parking code (BMC 19.20.020) is to set the minimum off-street parking standards for different land uses that assure safe, convenient and adequately sized parking facilities.

Regulations on driveways and parking areas in setbacks addressed in BMC 19.20.100 (4) were written to limit the amount of impervious surface of parking areas and driveways in the street setback. In addition, they were written to appropriately scale the amount of driveway width proportional to the lineal frontage of a single-family residential lot while allowing a minimum driveway width to accommodate two automobiles.

- *The logical or likely meaning of the provision viewed in relation to the Comprehensive Plan and applicable purpose and intent statements in this Code.*

The comprehensive plan provides some background regarding the context of neighborhood character and storm water policies.

Policy NQ 1.1 states that qualities that influence the character of a neighborhood include setbacks, the ratio of scale, bulk and height of structures to lot area; landscaping; and roadway and pedestrian features. Consequently, design guidelines should address these qualities to ensure that new developments, or improvements to existing developments, are compatible with and enhance the character of development in surrounding sites.

Policy SC 1.12 states that new rights of way and access easements should be paved to the smallest dimension necessary to accommodate their designed function (including emergency access) and to maintain the character of the neighborhood.

Policy ST 1.14 states that “the return of precipitation to the soil at natural rates near where it falls should be encouraged...”.

Conclusions:

Driveways are intended to provide access to parking areas and should be allowed in varying designs to reasonably accommodate the parking needs of residential single-family development. In addition, setbacks are intended to set a standard that establishes and maintains uniform residential character. As stated in the comprehensive plan, storm water should be returned to the soil to reduce potential impacts. Therefore the amount of paving in the setback area should be minimized while recognizing the purpose of driveways which is to provide access and parking for single-family development. To maintain the established character of the single-family neighborhoods and to minimize impervious surfaces, paving should be kept to a minimum. A minimum driveway width of 10-feet in width is established by the King County Road Standards.

Therefore single-family development that is unable to meet the criteria as set forth in BMC 19.20.100 (4.A) may have a driveway that generally parallels the street but must maintain a minimum 5-foot setback from the front property line. The width of the driveway within the setback should not exceed 10-feet in width.

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July 14, 2003
Date